

## Remarks

1. The claims of record (4, 5, 6, and 7) in Amendment A have been all rewritten and replaced with new claim 8. The inventor recognizes the similarity between claim 3 and claim 5. Claim 3 and claim 8 are submitted to be patentable over the cited references because they recite over novel structure and thus distinguishes over every reference, section 102. The physical distinctions effect greater efficiency. All adjustable impression trays of prior art are made of multiple pieces that are stabilized in fixed position by indexing or clamping. Those skilled in the art do not realize the potential of non-stabilized impression trays. Such unanchored devices would be deemed inaccurate by many skilled professionals. Thus, the claims of present invention are allowable and are unobvious under section 103.
2. The inventor petitions the patent examiner to also accept claim 3 of Amendment A. The claim is narrow to exclude all other inventions due to its novel structure. This claim specifies a particular refinement of the mechanism for the adjustment of a dental impression tray. No other invention discloses use of wall deformation for sizing of dental impression tray.
3. The inventor has rewritten Abstract. New Abstract contains only physical features on invention described herein. Inventor has removed all “means” wording and has directed Abstract only to the exact technical nature of the invention. No mention of purported merits are included in new Abstract.
4. The inventor has rewritten claims. On page 3 of Office Action mailed 10/22/2004 claim 3 and 5 were rejected under 35 U.S.C. 102(b) as clearly anticipated by Psayla ( U.S. Patent No. 1,652,910). New claim 8 is rewritten to be narrow and specifically reveal novel structure. Claim 8 points out a particular

adjustment means for a dental tray that has never been specified in any prior art invention.

5. Psayla's invention utilizes fixation mechanisms for adjustment stabilization and nowhere in his specification does he allude to the possibility of a hinged outer sidewall. In contrary, his outer wall flexes as a whole. That is, the flexure occurs throughout the entire length of the outer wall. Psayla includes expansion slots at the ends of the outer wall to allow for movement within the entire wall. All considered Psayla's outer wall could actually be eliminated from his own patent. His individual right and left segments are adjustably held by screw fixation. Close examination of Psayla's drawing reveals that his outer wall only serves to give slightly more height to his flange area in the anterior. This could be incorporated in his side sections. That is, his right and left tray sections have outer walls and these could have been designed with greater height. The very small anterior open gap existing between proximating outer walls is insignificant. The necessity of his outer wall, 14 may not be really relevant to the function of his own invention.
6. Psayla does not entertain the thought of the wall standing alone as a stabilizer. He does not mention in his specification either that the outer wall is capable of standing alone or the fact that it must be stabilized. He simply goes ahead and stabilizes with screws. He never considered the possibilities of stabilization of dental tray dimensioning within the outer wall alone.
7. The inventor herein considers this a significant difference between this invention and Psayla's adjustable tray. The inventor petitions the examiner to please consider new claim 8 as patentable. It is also petitioned by inventor to please reconsider claim 3 as also being sufficiently narrow in scope as to allow for patentability over Psayla. Claim 3 is novel in structure due to its unprecedented way to allow for adjustment as well as fixation of adjusted tray. It narrowly

defines novel structure, an adjustable wall. This adjustable wall stands alone to hold resultant tray size.

8. On page 4 of Office Action mailed 10/22/2004, the examiner points out that the applicant's arguments do not support arguments of "Unexpected Results", "Long Felt Needs", and "Commercial Success". In Amendment A, the inventor did illustrate with diligence reasons for unobviousness, advantages, and evolutionary process toward creating this invention.
9. The applicant can point out two reasons to support "Long Felt Need". First, most dentists have multiple tray products in inventory in their office. Situations occur where a dentist may be challenged either to fit the tray to the individual mouth or the resultant model may not be accurate. For these reasons, dentists that I have personal contact with have multiples systems available. My invention would eliminate this added inventory.
10. The second reason points out a need as well as illustrates lack of understanding in the profession. One of the highest sought dental speakers today in the United State is Dr. Gerard Chiche. He is world renowned and quoted by many other professional lecturers. He is highly regarded and has delivered 500 lectures. He recently stated in lecture that he uses only metal trays. He stated that he needs dependability. Some dentists agree that metal trays are better, others do not. It illustrates that uncertainty exists with impression taking. Impression taking is still debated and a long felt need does exist.

### **Request for Constructive Assistance**

18. The undersigned has made a diligent effort to amend the claims of this application so that they define novel structure (manufacturers have never adequately addressed the problems of manufacturing an adjustable impression tray in an efficient manner) which is also submitted to render the claimed structure unobvious because it approaches impression tray adjustments with a novel design (unobviousness is pointed out over the existing prior art). If, for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in making constructive suggestions pursuant to MPEP 706.03( d ) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,



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